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February 14, 2022

Honorable Lorna Schofield  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007

**Re: The Travelers Indemnity Company v. Javier  
Patino and ASNF, LLC  
CA No.: 1:21-cv-02510 (LGS)**

Dear Justice Schofield:

This office presents Defendant, Javier Patino in the above matter.

As the Court is aware, both Plaintiff and Defendant have moved for summary judgment in this matter.

Our Reply to the Plaintiff's opposition to our cross motion for summary judgment is due tomorrow, February 15, 2022. However, on February 8, 2022, the Plaintiff made a motion to strike the Defendant's Statement of Undisputed Facts and the Declaration of a witness, Michael Ryan.

Plaintiff's counsel and I have spoken, and we have agreed, if the Court allows, to extend Defendant's time to reply to the opposition to the cross-motion for summary judgment and to respond/cross-move to the Plaintiff's motion to strike.

We are only seeking an extension until Friday, February 18, 2022, at which time all these documents will be submitted on behalf of the Defendant.

The Plaintiff has requested that she receive 21 days to respond to our cross-motion and Defendant would be allowed 7 days to reply.

Please advise if the Court consents to this request.

Thanking you, I remain,

Very truly yours,

  
Arnold E. DiJoseph

ADJ:mgn

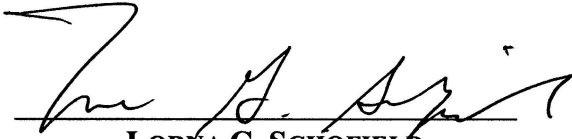
cc:

Meg R. Reid

Reid & Associates

Defendant's application for an extension is **GRANTED**. Plaintiff's motion to strike is **DENIED** without prejudice to renewal as it does not comply with the Court's individual rules requiring a pre-motion letter. Any party wishing to file a motion to strike shall file a pre-motion letter per the Individual Rules by **February 18, 2022**. The opposing party shall file a response within five (5) business days. The Court is likely to decide any such motion on the letters without further briefing concurrent with a decision on the summary judgment motions. By **February 18, 2022**, Defendant Patino shall file his reply. The Clerk of Court is respectfully directed to close the motions at Docket Nos. 76 and 78.

Dated: February 15, 2022  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

*Arnold E. DiJoseph, P.C.*